App F IX 4

Previous References

1946 47
(ml)

File No 78-46
Serial Nos 5 6

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos
20

Part B for Separate

SUBJECT

Election of members to the Constituent Assembly from the State

[4054 & 17.9.46
To
The President
Cites rule of majority
States that the question may be disposed of according to provisions of law

Ks

Serial No

From the President, City Municipal Council Mysore
MS p 46/46-47, dated 9-9-46

States that 14 members of the City Municipal Council have sent up a proposition relating to the election of members to the Constituent Assembly from the State and requests orders whether the above subject may be allowed to be moved at the special meeting of the Council to be held on 18-9-46

Revenue Secretary's orders

1) I do not think it is permissible under the Act and Rules Reference today
Sd B-B M

2) The City Municipalities Act and the Rules are put up

3) Under Section 29-(2) of the City Municipalities Act 1933, every municipal Councillor shall have the right to interpellate the President and to move resolutions on matters connected with the Municipal administration-vide Sec 15 (3) of the Act

proviso to Sec 27

4) The ~~present~~ present proposition does not in any way relate to the administration of the Mysore City Municipal Council

NOTE —Contn Sheet

Serial No

Under Section 32 B of the Rules and Byelaws framed by the Mysore City Municipal Council, the President is competent to deal with such cases

(1) No information is available in regard to the passing of a similar proposition by the Mysore City Mlty

(2) The subject proposed is one which is not in any way connected with the municipal administration of the Mysore City Mlty & should not be allowed to be moved at the special meeting

[Why should an immediate & a confidential board meeting be called for? 11/9/40]

The Presidents' letter is for perusal

(3) The proposition intended to be moved, does not relate directly or indirectly to matters connected with the administration of the Municipality.

It seems a healthy convention to eschew politics from the purview of

local self governing institutions. and in this view, it is always open to the President of the Municipality to refuse to allow discussion on such subjects under Sec 29 (2) of the City Municipalities Act & also proviso to Sec 27 (3) of the Act read with Sec 32 (B) of the Rules & byelaws framed by the Municipality (Flag R)

11) It is not clear why the President should seek orders of Govt in such matters He cannot obviously make use of any instructions that may be issued by Govt on this behalf to stop discussion of such controversial subjects

It seems best to tell the President to dispose of the matter according to law. If discretion is used properly, the subject has to be disallowed. There should

be. no doubt or difficulty about it.

Minister for Edn & Dev & Law
&
Dewan

11/9/

13) 15/9/46

2131

15/9/46

15/9/46

15) Hon Secretary 17/9
17/9/46

Secretary
17/9/46

To The President-elect of the Assembly
Advised 17-9-46
Informs that the question may be disposed of according to Law.

Secy B
Ref 78-46-5,6

R Ramachandra Rao Bhombore
PRESIDENT

Confidential

Ms P46/46-47 Cn 1/

Ml 78-46-5

CITY MUNICIPAL COUNCIL
MYSORE,
& REV BUDGET
11 SEP 1946
2026
L S G BRANCH

Dated 9th September 1946

My dear Mr Mallaradhya,

In enclosing a copy of the proposition sent by 14 members of the Council to be considered at a Special Meeting of the Municipal Council to be convened for the purpose, I write to state that the proposition relates to the election of members to the Constituent Assembly from the State and does not in any way pertain to the Municipal Administration As such, I do not think this is a subject which could be allowed to be moved in the Council

In this connection I may point out that a similar proposition under reference has been allowed by the Bangalore City Municipality and a resolution also has been passed by them

I request you kindly to intimate if the subject may be allowed to be moved at the Special Meeting which is fixed for the 18th instant

PTO

Noted 11/9
x x x I don't think this is permissible under the Act & Rules
Refer to Govt
x x x 11/9

I request the favour of a very early reply

Yours sincerely,

J B Mallardahya, Esq , M A ,
Secretary to Government,
Revenue Department,
Bangalore

Jul 78

copy of
~~Extract from~~ the proposition sent by 14 members of the Municipal Council

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Resolved that this Council urges the Government of His Highness the Maharaja of Mysore, to send only the elected representatives of the people of the State to the Constituent Assembly

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"EXTRACT"

PRESIDENT

L 4054 & 17-9 AB

Immediate & Confidential at 2. PM

Inl 78-46-6

To

The President, City Mlcl
Mysore

Sir,

With reference to your D. no M5 P 46/46-47 dated 9-9-46, ~~stating that the members of the City Municipal Council have~~ requesting instructions as to whether the proposition tabled by 14 members of the Mlcl, re the election of members to the Constituent Assembly from the state, may be allowed to moved at the special meeting of the Council to be held on 18-9-46, I am directed to state that the question may be disposed of by you according to the provisions of Law

I have the
honour
to be Sir
Your obedt Servt

TYPING SECTION
17 SEP 1946
CONFIDENTIAL